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JL
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CERTIFICATE OF MAILING

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Typed or Printed Name	Kimberly W. Zuehlke	
Signature	Date	15 October 2002
<p style="text-align: center;">RESPONSE TO ELECTION/RESTRICTION REQUIREMENT</p> <p>Address to: Commissioner of Patents and Trademarks Washington, D.C. 20231</p>	Application No.	09/781,621
	Confirmation No.	9514
	Filing Date	February 12, 2001
	First Named Inventor	Shimon Weiss et al.
	Examiner	Ardin H. Marschel
	Group Art Unit	1631
	DOCKET NO.	LBLB-002CIPCON

RECEIVED

TECH CENTER 1600
OCT 25 2002
2900

Sir:

This document is responsive to the Office Action dated September 5, 2002 for which a one month period for response was given and a petition and fee for one month extension of time is attached hereto making this response due on or before November 5, 2002.

REMARKS

In response to the Restriction Requirement applicants elect species B directed to nanocrystals linked to three-dimensional structure including embedding or encapsulating of said nanocrystal and use thereof with said embedding or encapsulation.

Applicants point out that generic claims remain within the application and applicants respectfully request examination of the generic claims which, if found allowable, should indicate that the allowability of claims encompassing species A or species B.

Should the generic claims be indicated as not allowable then the Examiner is directed to the examination of claims which encompass the elected species B which include claims 169-171.

Atty Dkt. No.: LBLB-002CIPCON

USSN: 09/781,621

In the event any fees are due in connection with this matter or further petitions are required applicants petition for any required relief and authorize the Commissioner to charge the cost of such to our deposit account no. 50-0815. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number LBLB-002CIPCON.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

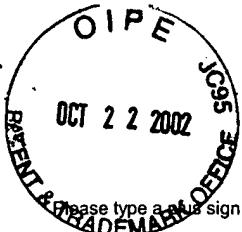
Date: 15/08/02

By:


Karl Bozicevic
Registration No. 28,807

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Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

09/781,621

Filing Date

February 12, 2001

First Named Inventor

WEISS, SHIMON

Group Art Unit

1631

Examiner Name

MARSCHEL, ARDIN H.

ENCLOSURES (check all that apply)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers
<i>(for an Application)</i> | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group
<i>(Appeal Notice, Brief, Reply Brief)</i> |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation | <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below): Response to Restriction Requirement; return receipt postcard</i> |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Change of Correspondence Address | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Certified Copy of Priority Documents | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name

KARL BOZICEVIC, Reg. No. 28,807

Signature

Date

October 15, 2002

CERTIFICATE OF MAILING

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Typed or printed name

Kimberly Williams Zuehlke

Signature

Date October 15, 2002

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OCT 22 2002
DATE

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FEET TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 55.00)

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:
 Deposit Account Number 50-0815
 Deposit Account Name Bozicevic, Field & Francis LLP
 Charge Any Additional Fee Required
 Under 37 CFR 1.16 and 1.17
 Applicant Claims small entity status.
 See 37 CFR 1.27

2. Payment Enclosed: Check Credit Card Money Order Other

FEE CALCULATION

2. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201 370 Utility filing fee	
106	330	206 165 Design filing fee	
107	510	207 255 Plant filing fee	
108	740	208 370 Reissue filing fee	
114	160	214 80 Provisional filing fee	

SUBTOTAL (1)

1. EXTRA CLAIM FEES

Total Claims	26 -20** =	Extra Claims	Fee from below	Fee Paid
Indep. Claims 2-3** =		x	=	
Multiple Dependent			=	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	84	209 42 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$

**or number previously paid, if greater; For Reissues, see above.

Complete if Known	
Application Number	09/781,621
Filing Date	February 12, 2001
First Named Inventor	WEISS, SHIMON
Examiner Name	MARSCHEL, ARDIN H.
Group Art Unit	1631
Attorney Docket No.	LBLB-002CIPCON

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Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge – late filing fee or oath	
127	50	227	25 Surcharge – late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examination action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	55.00
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive – unavoidable	
141	1,280	241	640 Petition to revive – unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	740	246	370 For each additional invention to be examined (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) _____				
*Reduced by Basic Filing Fee Paid				
SUBTOTAL (3) (\$ 55.00)				

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Karl Bozicevic	Registration No. (Attorney/Agent)	28,807	Telephone (650) 327-3400
Signature	<i>Karl Bozicevic</i>			Date 10/15/2002

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